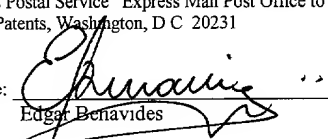


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Dated: 8/1/01.	Name:  Edgar Benavides		

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Charles A. Nicolette	Assignee:	Genzyme Corp.
Filing Date:	Herewith	Examiner:	Unassigned
Serial No.:	Unassigned	Group Art Unit:	Unassigned
Title:	MELANOMA ANTIGENIC PEPTIDES		

Commissioner for Patents  
Washington, D.C. 20231

**PRELIMINARY AMENDMENT**

Prior to examination of the subject divisional application, consideration and entry of the following amendments are respectfully requested.

**IN THE SPECIFICATION**

Page 1, lines 3 to 5, please replace this paragraph with the following rewritten paragraph.

This application is a divisional of U.S. Serial No. 09/249,272, filed February 11, 1999, now U.S. Patent No. \_\_\_\_\_, issued \_\_\_\_\_, which in turn claims priority under 35 U.S.C. § 119(e) of U.S. provisional U.S. Application No. 60/103,229, filed October 5, 1998, the contents of which are hereby incorporated by reference.

### IN THE CLAIMS

Cancel claims 1 to 30 and 34 to 41, without prejudice or disclaimer. Please amend claims 31 to 33 to recited as follows.

31. (Amended) A method of inducing an immune response in a subject, comprising administering to the subject an effective amount of a peptide consisting of the sequence FLDQVAFXV (Seq. ID No.1) wherein X is any amino acid, under the conditions that induce an immune response to the polypeptide.

32. (Amended) The method of claims 31 or 42, further comprising administering an effective amount of a cytokine to the subject.

33. (Amended) The method of claims 31 or 42, further comprising administering an effective amount of a co-stimulatory molecule to the subject.

Please add new claim 42.

42. (New) A method of inducing an immune response in a subject, comprising administering to the subject an effective amount of a peptide consisting of the sequence FLFSWYAXV (Seq. ID No. 3) wherein X is any amino acid, under the conditions that induce an immune response to the polypeptide.

### REMARKS

The subject application is a divisional of U.S. Serial No. 09/249,272, filed February 11, 1999, now allowed. In the parent application, a requirement for restriction was issued. The claims were divided into the following Groups:

- I. Claims 1-12 and 17;
- II. Claims 13-16 and 18-23;
- III. Claims 24-30;

IV. Claims 31-33;

V. Claims 34-39;

VI. Claim 40; and

VII. Claim 41.

Group II was elected and prosecuted in the parent application. Applicant pursues Group IV, claims 31 to 33, in the present application.

Claims 31 to 33 are amended and new claim 42 is added. The claims are amended and new claim 42 is added to conform the relevant claim language to the language of the claims as allowed in the parent application. Page 1 of the specification is amended to update the related application information. An issue of new matter is not raised by these amendments and entry thereof is respectfully requested.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned **"Versions with markings to show changes made."** Also attached is a replacement page of claims for the Examiner's convenience. If in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned at 650-849-4950.

DATE:

August 1, 2001

Respectfully submitted,

By:

Antoinette F. Konski

Antoinette F. Konski

Registration No.: 34,202

McCutchen, Doyle, Brown & Enersen, LLP  
Three Embarcadero Center, Suite 1800  
San Francisco, California 94111  
Telephone: (650) 849-4400  
Telefax: (650) 849-4800

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

In the specification:

This application is a divisional of U.S. Serial No. 09/249,272, filed February 11, 1999, now U.S. Patent No. \_\_\_\_\_, issued \_\_\_\_\_, which in turn claims priority (under 35 U.S.C. § 119(e)) of U.S. provisional U.S. Application No. 60/103,229, filed October 5, 1998, the contents of which are hereby incorporated by reference.

In the claims:

Cancel claims 1 to 30 and 34 to 41.

Add new claim 42.

31. (Amended) A method of inducing an immune response in a subject, comprising administering to the subject an effective amount of ~~the polypeptide of any one of claims 19-26~~, a peptide consisting of the sequence FLDQVAFXV (Seq. ID No.1) wherein X is any amino acid under the conditions that induce an immune response to the polypeptide.

32. (Amended) The method of ~~claim 31~~ claims 31 or 42, further comprising administering an effective amount of a cytokine to the subject.

33. (Amended) The method of ~~claim 31~~ claims 31 or 42, further comprising administering an effective amount of a co-stimulatory molecule to the subject.

42. (New) A method of inducing an immune response in a subject, comprising administering to the subject an effective amount of a peptide consisting of the sequence FLFSWYAXV (Seq. ID No. 3) wherein X is any amino acid, under the conditions that induce an immune response to the polypeptide.

### **Pending claims after entry of Preliminary Amendment**

31. A method of inducing an immune response in a subject, comprising administering to the subject an effective amount of a peptide consisting of the sequence FLDQVAFXV (Seq. ID No.1) wherein X is any amino acid, under the conditions that induce an immune response to the polypeptide.

32. The method of claims 31 or 42, further comprising administering an effective amount of a cytokine to the subject.

33. The method of claims 31 or 42, further comprising administering an effective amount of a co-stimulatory molecule to the subject.

42. A method of inducing an immune response in a subject, comprising administering to the subject an effective amount of a peptide consisting of the sequence FLFSWYAXV (Seq. ID No. 3) wherein X is any amino acid, under the conditions that induce an immune response to the polypeptide.